trust as chief of the department, conferred by Mayor Bay, on January 1, 1972.

Throughout his lifetime Chief Kenyon has forged ahead with dedication, devotion and sincerity of purpose in combatting crime and protecting the life of our people. We applaud his knowledge, training, hard work and personal commitment that has enabled him to achieve the fullest confidence and strongest support of the people of our community. He has always applied the most sophisticated and advanced techniques of his profession. Soon after his appointment to the Hawthorne Police Department he attended the first municipal police class at West Trenton, N.J. He is a graduate of the Delehanty School of Police Practice, Procedures, and Sciences and has pursued courses of study in some of our Nation's most highly selective law enforcement educational facilities including the FBI, New Jersey State Police, Bergen County Police Academy, New Jersey Police Chiefs Association, Rutgers University and supervisory classes under the instruction of the New Jersey Police Training Commission.

It is interesting to note that Chief Charles Kenyon is a lifetime resident of my congressional district. He was born in Paterson, N.J., the son of the highly respected family of our community, Ruth and Charles Kenyon, Sr., and raised in Hawthorne, N.J., where he attended Lincoln School and Hawthorne High School. He enlisted in the U.S. Marine Corps on July 21, 1941 and served for 4½ years, 23 months in the Pacific theater of World War II with the 4th Marine Division, participating in the battles of the Marshall Islands, Saipan, Tinian, and Iwo Jima.

On July 25, 1942 he married the former Dorothy VanderPlaat of Clifton, N.J. The deep admiration and respect that their two sons have for their father is mirrored in their career choices. His son, Robert C. is a member of the New Jersey State Police and Thomas P. is a patrolman on the Hawthorne Police Department. They have four grandchildren: Robert C. Jr. and Michael T., the children of Robert and Chris Kenyon; Maureen L. and Thomas P. Jr., the children of Thomas and Barbara Kenyon.

Chief Kenyon is past president and secretary of P.B.A. Local No. 114; member, Hawthorne P.B.A. Lolcal No. 200; International Association of Chiefs of Police; New Jersey State Association of Chiefs of Police; Passaic County Police Chiefs Association; Past Commander, VFW, William B. Mawhinney Post No. 1593; past president, William B. Mawhinney Memorial Ambulance Corps; member since 1948 and presently trustee, Corps Executive Committee; 4th Marine Division Association; Hawthorne Masonic Lodge No. 212, F. & A. M.; past president and secretary, Hawthorne Craftsmen's Club; Court House Square Club of Bergen County; and the Grand Order of the Sword of Bunker Hill.

Mr. Speaker, during this Bicentennial Year as we celebrate the 200th anniversary of the birth of our Nation, it is indeed appropriate that we reflect on the deeds and achievements of our people who have contributed to the quality of our way of life here in America and I am honored and privileged to call your attention to the lifetime of outstanding public services of Chief Kenyon and seek this national recognition of his contribution to our country in placing others above self in providing safety on the streets, security in the home and optimum public safety for all of our people. We do indeed salute Chief Charles F. Kenyon, Jr. of Hawthorne for his contribution to the quality of life for the people of our community, State, and Nation.

## TRIBUTE TO WRIGHT PATMAN

### HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 11, 1976*

Mr. BIAGGI. Mr. Speaker, the death of our distinguished and honored colleague, the gentleman from Texas, Mr. Patman, is a great loss not only for this body, but for this Nation.

Oh, there are some in the board rooms of rich and powerful banks and corporations who probably are breathing a sigh of relief that Wright Patman's personal brand of fire and brimstone will no longer be coming their way. But for the man in the streets, the man who has felt lost in his fight for survival against the might and privileged in our society, the mourning for the death of Wright Patman will be great.

He was a man of courage who never shied away from controversial causes. He was a leader, who stepped out proudly. He walked alone if necessary until others saw he was traveling the right path and soon followed him.

He was a fighter for those who were defenseless against the monied and special interests who had great influence in the legislature.

Some called him a liberal and others said he was conservative; neither labels are correct. He had only one interest in mind, the people's interest. He may not have always been right, but he fought for what he thought would benefit the little guy.

He had no time for the fancy parliamentary activities of the House. He felt if a piece of legislation was good for the people, it should be approved by the representatives of the people without a lot of phoney bantering about. Too bad his philosophy is not more prevalent today.

He had a particular interest in working on behalf of World War I veterans. Earlier in his career, he managed to win passage of his legislation to pay all First War veterans a bonus. In recent years, he has led the fight to guarantee all World War I veterans a pension.

Wright Patman was a man of vision. He was quick to see the need for legislation to correct problems. Frequently he was years ahead of his time on his proposals. Yet, ideas for which he was denounced at one time, more often than not became the key elements of the congressional legislative program in later years. I am glad he was able to serve in the House so long to enjoy the fruits of these somewhat belated victories.

There are still other battles that he did not win. Most notably his attempts to have the operations of the Federal Reserve audited and the regulation of banks centralized in the Federal Government. Some called his efforts a vendetta, yet others—myself included—know that his only interest was to see that a system that has such great influence over the lives and actions of the people is somehow accountable to the people's representatives.

I was deeply saddened when he relinquished the chairmanship of the House Banking and Currency Committee at the beginning of this Congress. He was dedicated to overseeing and regulating in the public interest those areas under the jurisdiction of that committee.

Wright Patman, though, has made his mark. His ideas, philosophy, and achievements will live on. His courage and voraciousness will inspire others to take up the standard and continue the fight. History will treat him well.

## S. 1: BEYOND SALVATION

### HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 11, 1976*

Mr. MIKVA. Mr. Speaker, there is little disagreement on the need to reform the Federal criminal laws. There is, however, substantial disagreement over what those reforms should include. Much of the current disagreement centers around one bill, S. 1, which is now being considered in the Senate Judiciary Committee.

There has been widespread criticism of S. 1, criticism which has shown S. 1 to be more of a regression than a reform. In the face of such criticism, supporters of S. 1 have indicated a willingness to strike several of the more objectional features of the bill. But with a bill as large and complex as S. 1, a salvage job at this point is too little, too late. Even a "better" S. 1 is still an "invitation to danger," as a Los Angeles Times editorial called it on February 29, 1976.

I would like to share this excellent editorial analysis of S. 1 with my colleagues and at this point insert it in the RECORD:

INVITATION TO DANGER

Sens. Mike Mansfield and Hugh Scott, respectively the majority and minority leaders of the Senate, have moved to break the impasse on Senate Bill 1 by proposing to slice from the legislation a series of some of its most controversial sections.

S 1, a huge (799 pages) and hugely complicated measure, is designed to codify, revise and reform the federal criminal law. It would do all that, but with such an authoritarian tilt that the legislation has become a philosophical battleground over the way this nation should be governed.

In their maneuver for a compromise, the Senate leaders grant this. They say, "On the one hand are those sections of the bill that are deemed to be repressive, that change the existing law and existing procedures in ways that even the courts might strike down

in the face of the Constitution. On the other hand, the liberals would in some instances like not only to eradicate the more repressive features of the bill but to 'liberalize' the existing law and in effect use the S 1 vehicle to overturn court decisions that have supported so-called law-enforcement interpretations."

The latter assessment is overdrawn, because to date supporters of the bill have been in full control of the legislation and opponents have been conducting a rearguard action, but the senators are correct in noting the sharp division over S 1.

They would bridge this gulf by deleting from the bill the most dangerous sections (1121–28) on espionage and related offenses. With broad definitions of crimes in various categories and severe penalties, both aganist government employes who release "national defense information" and those in unauthorized possession of the information, these provisions would create what in effect would be an Official Secrets Act.

Supporters of the law say this interpretation is unwarranted because its provisions forbidding the disclosure of classified information exempt the recipient (a news reporter, for example) from prosecution. But another section would require that anyone in unauthorized possession of "national defense information" (the Pentagon Papers, for example) would have to return it to the government. Failure to comply could mean imprisonment for up to seven years. News reporters could be brought before official bodies and citied for contempt for refusing to disclose sources of information.

Perhaps the most dangerous provision of Sections 1121–28 is Section 1124, which would criminalize the disclosure of classified information. This would cut off the public from a vast amount of information that is classified for no more substantial reason than the handy availability of a classification stamp. Former Supreme Court Justice Arthur Goldberg has said that in his opinion 75% of classified information does not fall within the category of information that properly should be classified.

Mansfield and Scott would be willing to eliminate or modify 12 other subject areas in the bill that have drawn persistent criticism. These include the imposition of death for a category of crimes, the narrowing of insanity as a defense against a criminal charge, the so-called Watergate defense granted to public officials who violate the law, and a wiretap provision that would reaffirm the authority of federal officials, under some circumstances, to conduct electronic surveillance without a warrant. The two Senate leaders also would be willing to drop a provision that would give undercover agents greater license to entrap suspects, and a section on the dissemination of obscene material.

In its sentencing provisions, S 1 favors harsher penalties, more certain imprisonment and less emphasis on alternatives to incarceration, all of which run counter to recommendations of the American Bar Assn.'s Committee on Criminal Justice Standards and Goals. Mansfield and Scott, in their compromise effort, said these sections should be "shaped up," by which they apparently mean modified.

If the compromises urged by the two Senate leaders were accepted, the legislation would be improved substantially. That is not the same thing as saying, as Mansfield and Scott suggested, that the remainder of the bill (90% was the figure they used) should be passed.

In many respects, the legislation would rationalize and improve the criminal-justice system. Obstructing a federal election would be a crime, a significant provision after Watergate. Victims of violent crimes would be compensated. Sentences would come under appellate review to correct disparities. Like offenses would become subject to like sentences. The bill would restrict inquiries into the sexual history of the victim of a sex offense, and would expand the law to include sex offenses against males. Sex discrimination would become a civil-rights offense. The legislation would provide for extensive consolidation of federal criminal laws, and would outline, for the first time, the aims of the criminal-justice system for the guidance of the courts, enforcement officials and officers of correction agencies.

These and other improvements are stressed in the argument for compromise to secure the passage of S 1, which, its supporters contend, is largely a noncontroversial modernizing of a long-antiquated system.

But even if the Mansfield-Scott compromises were adopted, the bill contains many other sections that would raise serious difficulties. Carole E. Goldberg, acting professor of law at UCLA, illuminates these problems in a comparative analysis of S 1 and legislation introduced in the House to revise the criminal code. The House bill (HR 10850), sponsored by three members of the National Commission on the Reform of the Federal Criminal Laws, reflects the advanced thinking of that commission. Hundreds of significant differences distinguish the two measures, to the credit of the House version.

S 1 would make it a crime for a person in time of war, and with intent to aid the enemy or to interfere with the ability of the United States to engage in war or defense activities, to give a false statement about "losses, plans, operations or conduct of the military forces of the United States, of an associate nation or of the enemy." It also would punish a false statement about a civilian or military catastrophe or "any other matter of fact that, if believed, would be likely to affect the strategy or tactics of the military forces of the United States or would be likely to create a general panic . . ."

A statute so loosely drawn would give the government power to impose criminal liability on the press for good-faith errors on a wide variety of subejcts. The House bill would eliminate this provision.

In S 1, "time of war" is not defined. The House bill defines war as congressionally declared war, and this is a vital difference, affecting a wide category of crimes.

Sabotage under section 1111 in S 1 includes damage to any property "peculiarly suited to national defense," and damage to any "public facility." Under this section, almost any public demonstration would be subject to criminal sanctions, at the caprice of a prosecutor. HR 10850, in contrast, would limit the definition of sabotage to damage to, or interference with, "military property" and facilities engaged in whole or in part in military production. Similarly, definitions of laws applying to other public disorders are strictly defined in the House bill; incitement to riot would have to lead to "immediate unlawful action," for example. Under S 1, as few as 10 persons involved in a disturbance could constitute a riot.

Many additional sections of S 1, if examined closely, undermine the contention of supporters of the legislation that most of it concerns only competent reordering of law. The board of trustees of the Los Angeles Bar Assn. says that S 1, "as proposed, would radically alter existing law, subject areas previously protected by the First Amendment to criminal sanctions, and reduce the availability of procedural protections and defenses to criminal charges." The Society of American Law Teachers says the bill is "riddled with defects." The Assn. of the Bar of the City of New York says the measure as it relates to defense secrets and espionage undercuts the First Amendment.

Reorganization of federal criminal laws is important, but it is not critically important; there is no compelling need to rush this legislation into existence. Interpretations may differ on hundreds of specific provisions in this massive bill, but there is no doubt whatever that the measure as a whole, in its present form, would fundamentally alter the relationship between government and the people. It would accomplish this by greatly increasing the power of the executive branch to control information. It is information on which the sovereignty of the people depends.

We do not think that so complicated a bill of such length, with so many disputable provisions throughout, can be amended satisfactorily, nor do we think the Mansfield-Scott proposal is a solution.

The prudent course would be to withdraw the bill for a complete redrafting.

## THE MARONITES OF LEBANON

### HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 11, 1976*

Mr. O'HARA. Mr. Speaker, the Maronites of Lebanon are a people with a remarkable history. The Maronites are Christians who have long been affiliated with the Catholic Church, while adhering to the Maronite rite. For centuries they have served as a geographical and spiritual outpost of Christianity.

It is self-evident that the Maronite Catholics of Lebanon had to have a special brand of ability, toughness, and shrewdness to survive. Their difficult circumstances have been dramatized by the bloody civil war of the last year.

In this century, many Maronites have emigrated to the United States and Syria. The majority of Lebanese and Syrians in the metropolitan Detroit area are Maronites and they form the largest such community in the Nation. Indeed, the distinguished titular head of the Maronites in the United States, Bishop Frances M. Zayek, has his chancery in Detroit.

Foreign correspondent Jonathan C. Randal, writing in the March 7, 1976 issue of the Washington Post, had a probing historical and political analysis of the position of the Maronites. His analysis deserves our attention and under leave to extend my remarks in the RECORD, the article follows:

LEBANESE STRIFE SOURS MARONITES ON THEIR FUTURE

(By Jonathan C. Randal)

BEIRUT.—"We Maronites built Lebanon," the cultivated Lebanese gentleman said matter-of-factly. "We bear more than our share of responsibility for its destruction and our best sons are leaving it."

These are pessimistic words, even in these somber days when Lebanese are weighing the heavy costs of a civil war that has shaken faith in the country's future both here and abroad.

But the speaker's pessimism reflected a feeling that luck—or perhaps more accurately, shrewd leadership—had finally deserted the Maronite Catholics after more than a millenium.

Historian Kamal Salibi, a professor at the American University of Beirut, believes the Maronites over the centuries have shown a peasant shrewdness for survival that made them "the only Christians living in the Is-

United States of America

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# Senate

The Senate met at 11 a.m. and was called to order by Hon. GEORGE McGOVERN, a Senator from the State of South Dakota.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Let us pray:

O Lord, our God, create in us clean hearts, and renew a right spirit within us, as we dedicate our lives to Thy service this day. Renew our confidence in the far off divine event toward which the course of man and nations moves. Keep us alert and expectant for that breakthrough in history, that Godly intervention, which will turn all men and all nations to live as children of Thy kingdom. Confirm our faith in the Lord of History through an understanding of the days of our own years, through companionship with great souls, through moments of quiet withdrawal, through constant communion with nature, with history, and with Thee. Help us so to live with Thee this day that at the end we may join the Psalmist in saying:

*"O praise the Lord, all ye nations: praise Him, all ye people. For His merciful kindness is great toward us: and the truth of the Lord endureth for ever. Praise ye the Lord."*—(Psalm 117). Amen.

## APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
*Washington, D.C., March 9, 1976.*

*To the Senate:*

Being temporarily absent from the Senate on official duties, I appoint Hon. GEORGE McGOVERN, a Senator from the State of South Dakota, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,
*President pro tempore.*

Mr. McGOVERN thereupon took the chair as Acting President pro tempore.

## THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, March 5, 1976, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

## COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

## CONSIDERATION OF CERTAIN MEASURES ON THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of calendar items Nos. 651, 652, and 653.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

## DISAPPROVAL OF DEFERRAL OF CERTAIN BUDGET AUTHORITY RELATING TO THE YOUTH CONSERVATION CORPS

The resolution (S. Res. 385) disapproving the deferral of certain budget authority relating to the Youth Conservation Corps, was considered and agreed to, as follows:

*Resolved*, That the Senate disapproves the proposed deferral of budget authority for the Youth Conservation Corps (numbered D 76–101).

## DISAPPROVAL OF DEFERRAL OF CERTAIN BUDGET AUTHORITY RELATING TO INDIAN SCHOOL CONSTRUCTION

The resolution (S. Res. 388) disapproving the proposed deferral of budget authority for construction grants to public schools in Indian reservation areas, was considered and agreed to, as follows:

*Resolved*, That the Senate disapproves the proposed deferral of budget authority (deferral numbered D 76–103) for construction grants to public schools in Indian reservation areas set forth in the special message transmitted by the President to the Congress on February 6, 1976, under section 1013 of the Impoundment Control Act of 1974.

## DISAPPROVAL OF DEFERRAL OF BUDGET AUTHORITY FOR INDIAN HEALTH FACILITIES

The Senate proceeded to consider the resolution (S. Res. 366) disapproving the proposed deferral of budget authority for Indian health facilities, which had been reported from the Committee on Appropriations with amendments as follows:

On line 2, after "Deferral" insert "D 76–39 and";

On line 4, after "on" insert "July 26, 1975, and";

So as to make the resolution read:

*Resolved*, That the Senate disapproves the proposed deferral of budget authority (Deferral D 76–39 and D 76–97) for Indian health facilities set forth in the special message transmitted by the President to the Congress on July 26, 1975, and January 23, 1976, under section 1013 of the Impoundment Control Act of 1974.

The amendments were agreed to.

The resolution, as amended, was agreed to.

## S. 1

Mr. MANSFIELD. Mr. President, on yesterday, the distinguished Republican leader and I met with various members of the Senate Committee on the Judiciary and their staffs. The purpose was to follow up on the statement which we issued a few weeks ago, directed to all members of the Committee on the Judiciary, and to seek a way to break an impasse on S. 1, which has generated so much controversy from both the right and the left. This was done in our capacities as the Senate's leaders and, certainly, was intended in no way to infringe upon the responsibilities of the Senate Committee on the Judiciary. Furthermore, I could not speak as one with authority on substance, because I am not a lawyer. But I am interested in legislation and, on the basis of the commitment made that the joint leadership would meet with the various members of the Committee on the Judiciary, that meeting was held in my office on yesterday afternoon.

When the meeting convened, I made the following statement:

GENTLEMEN: I asked to meet with you on S. 1 to express my concern about the status of the matter.

First, I agree that there is need to bring revision to the Criminal Code, to provide more uniformity, consistency, and logic to its complex and often confusing applications. In that sense, I am in full accord with the Brown Commission's study and recommendations.

I am interested in S. 1 as well because it contains two features which I consider of paramount importance to the Criminal Code. One would provide a program to provide compensation to crime victims—an endeavor which I have advocated for years, and which, if my memory serves me correctly, the Senate has passed on five different occasions, but the House has taken no action on.

Second, I am interested in those provisions which would stiffen penalties and impose mandatory jail terms against gun criminals, those who not only commit crime but who resort to weapons of violence in perpetrating their offense.

The carrying of a gun in the commission of a crime, under my proposal, would be a separate offense. I repeat, a sentence imposed for this infraction of the law would not run concurrently but would be in addition to the sentence imposed for the crime. That bill, likewise, has passed this body once, at least. It has not been taken up in the House:

I, therefore, support a great deal of what is contained in S. 1—perhaps 90 percent of its contents. But there are provisions I cannot support and because of them I would vote against the measure unless some substantial changes or deletions are made.

It was with that view in mind that I approached Senator Scott the distinguished Republican leader in mid February. Together we delineated some—let me repeat that word, some—of the provisions of the bill that are acutely sensitive, controversial or which we find particularly offensive. There are probably others.

In any case, it has become clear to both of us, I believe, that unless the various and diverse interests come together soon on these issues and on the question of what to do about them, there is little or no hope for any measure of criminal law reform. Moreover, the House has not acted and probably will not act unless there is movement on this side.

So what I suggest—and I think Senator Scott joins me in this—is that this bill be rewritten to extract as much as possible that impairs its present form: that it be rewritten and introduced as a brand new Criminal Code reform bill. If that is possible, then I would hope the job can be done as soon as possible—this week perhaps. If not, then I think we might well consider the issue dead. For the longer these matters linger, then the longer the dissension and disaffection remain and neither frankly reflect well upon this institution.

Gentlemen, I am not a member of the Committee. I have made my suggestions along with Senator Scott but I make no pretenses about what might be done substantively in all respects to achieve this objective. There are times, however, when we can agree on substance and, if no agreement is possible, then we can vote—up or down—on these issues on which there is no accord If we can go that far—to at least identify and act upon the issues involved in Criminal law reform—it will be a major achievement for the Senate.

The question as to what to do about S. 1—if anything—reposes in the Judiciary Committee.

Mr. HUGH SCOTT. Mr. President, will the distinguished majority leader yield?

Mr. MANSFIELD. Yes, indeed.

Mr. HUGH SCOTT. Mr. President, I simply rise to say that I am in general agreement with what the distinguished majority leader has said. Part of our purpose has been to advance and promote legislation. This bill has many features which are objectionable to many of us, including myself, as I have said before in colloquy on this floor.

I would like to see that part of the bill which consists of a simple recodification of existing law passed.

I would favor the two elements mentioned specifically by the distinguished majority leader, and I would favor other elements in the bill. I would not favor the very strict provisions which, in my opinion, impinge on the freedom of the press. There are other objectionable provisions.

I think the essential point to remember is that the staffs of the various Senators on the Judiciary Committee have been in touch with each other for a period of time in an effort to work out a markup of a bill.

We have suggested to them that they let us know within the next 2 weeks whether such a markup is possible. If it is, we should proceed with it. If it is not I agree that the bill would have little chance in the other body in view of the delay in this body.

As to the use of my own time, Mr. President, I ask unanimous consent that I may transfer it to the distinguished Senator from Oklahoma (Mr. BARTLETT).

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Oklahoma is recognized.

## ECONOMIC AID TO AFRICAN NATIONS

Mr. BARTLETT. Mr. President, I thank the distinguished minority leader.

The distinguished Senator from California (Mr. TUNNEY) on Thursday of last week spoke in this Chamber in favor of economic aid to Zambia and Mozambique.

First, let me make it clear that I disagreee completely with the apartheid policies of Rhodesia and South Africa, as well as the many internal policies of Russia and China which violate basic freedoms.

The distinguished Senator said that economic aid is the right way to establish peace in Africa, to help avoid a racial war—a war that I believe might spread to South America and could strain racial harmony in the United States.

Marxist Samora Machel, President of Mozambique, has declared a state of war and closed the border with Rhodesia. There have been recent reports that indicate Cuban soldiers disembarking, Soviet ships arriving in the port of Beira, apparently with Soviet arms included in their cargoes, and that Soviet technicians are present in Mozambique. Mozambique has been a training area for guerrilla activity and its role as a staging area for active military incursions in Rhodesia will increase. President Machel's government is clearly abetting a racial holocaust in southern Africa and may be getting ready to throw on gasoline and apply a match.

Closing the Mozambique-Rhodesia border will strain the economy of Mozambique, and is critical to Rhodesia's economy as well.

Obviously, economic aid from the United States to Mozambique would aid its effort to mobilize for war by lightening the economic burdens and would be helpful to underpin its military capabilities.

Because the distinguished Senator says this proposed American economic aid would help bring peace to Africa, would he explain to the Senator from Oklahoma why he desires to help a Communist country such as Mozambique and why such economic aid would not better enable Mozambique, Russia, and Cuba to escalate a bitter war between the races in Rhodesia and Southern Africa?

Certainly, economic aid to Zambia, as well as neighboring Zaire, both moderate nations friendly to this country, is in order. Both countries have opposed Soviet and Cuban intervention in Angola and their aggression to implant blatantly the MPLA as the government of Angola.

The economies of Zambia and Zaire are seriously distressed. The price of copper, which represents 90 percent of Zambia's foreign exchange and 70 percent of Zaire's, is unusually low. In addition, the MPLA in Angola, by controlling the Benguela railroad which transports the copper to the Atlantic port of Lobito, controls the life blood of both countries.

The passage of the Tunney amendment on December 19, 1975, which cut off military aid to the UNITA-FNLA forces, gave significant military advantage to MPLA's Soviet equipped Cuban Army, encouraged the South Africans on December 23 ,1975, to disengage from the Cubans and on January 12, 1976, to withdraw to the area of the Angola-Namibia border, and signaled the end of the conventional war with the UNITA-FNLA forces fighting for constitutional government, free elections, and basic freedoms.

My distinguished friend wants to fight military power in Africa with economic aid. I ask him why his amendment cutting off military aid to the UNITA-FNLA forces did not merely substitute economic aid for military aid to these forces, or would he have preferred giving economic aid to the MPLA? Does the Senator favor containing Russia and the Warsaw Pact nations with economic aid rather than NATO military forces?

Without using American troops or civilians in Africa, we must remember the Teddy Roosevelt philosophy of "walk softly but carry a big stick"—and that the big stick he referred to was not economic aid.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GRIFFIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

the justifiable ground that lawmakers need "inside" information to keep abreast of what those sneaky policymakers and bureaucrats are up to. (The "leak" is really Congress' and the public's best friend, because it keeps officials from hiding what the public ought to know.)

Yet, by a resounding margin earlier this month, the House voted to clamp a lid on its own CIA report, which already had largely leaked out anyway, and acted outraged when CBS reported Daniel Schorr slipped the full report to a New York newspaper.

It would all be very funny were it not for two things:

First, by its own self-diversion, Congress, especially the House, is now chasing its tail in a fruitless exercise to find out who leaked the report to Schorr, when it should be concentrating on the CIA's violations of the law, the CIA's and the FBI's gross abuses of individual rights, and the negligence of various Presidents who allowed it (even abetted it) to happen.

Second, there is a move afoot in both houses, with the support of Rep. Sam Stratton (D-N.Y.) and Sen. Robert Taft Jr. (R-Ohio), to cite reporter Schorr for contempt of Congress.

Aside from the pure asininity of this exercise, it demonstrates an appalling lack of respect for and sensitivity to the First Amendment's guarantees of free speech and a free press.

When the day arrives that an American reporter is punished for revealing the misdeeds and errors of public officials, that's the day we had all better light out for the moon.

If there is any quarrel to be joined with Daniel Schorr, it is over the way he handled the report after it was leaked.

Instead of selling it to the Village Voice (with the proceeds of the sale going to the Reporter's Committee for Freedom of the Press), Schorr would have been better advised to release it openly under his own name—preferably in a byline article.

"Selling" such news under covert circumstances, even for a worthwhile cause, blots the integrity of the news itself and blemishes the craft of journalism.

But, apart from that, what has Schorr done wrong?

He certainly had no venal or self-serving interest.

Indeed, he was motivated by one of journalism's highest principles: the duty to reveal to the people the negligence, misjudgments and sordid capers of public officials and bureaucrats.

Since when is a democracy so effete that it cannot bear to know what mischief its officeholders and public servants are capable of?

As for the vaunted "secret" report itself, Schorr and other reporters already had disclosed vast portions of it. The Ford Administration had leaked information contained in it. And the Rockefeller Commission had covered some of the same ground.

None of the information contained in it—by even the remotest stretch of the imagination—could be said to be damaging to national security.

On the contrary, in revealing the depths of sordiness to which some of our national policymakers and intelligence chiefs are capable of plunging, the report served a highly useful public purpose: It warned us that intelligence operatives left unsupervised are perfectly apt to run amok.

Yet this valuable lesson is now being lost in all of the furor over the leak of the House report.

And the Sam Strattons and Robert Tafts are doing the nation no service by trying to divert its attention from that stark lesson.

## S. 1—CRIMINAL JUSTICE REFORM ACT OF 1975

### HON. ROBERT P. GRIFFIN

OF MICHIGAN

IN THE SENATE OF THE UNITED STATES

*Friday, March 5, 1976*

Mr. GRIFFIN. Mr. President, the value of a codified system of criminal laws has long been recognized by ancient and modern societies. A well-organized criminal code not only provides better notice of what the criminal laws are, but it can serve to deter crime and to accord more justice and fairer treatment to all citizens.

Strange as it may seem, the United States has never had a codified system of Federal criminal laws. Throughout the 200 years of our Nation's history, the Federal criminal laws have been written piecemeal, as Congress has responded on a case-by-case basis to particular problems.

The result is a hodge-podge of statutes which reflect a good deal of conflict, overlapping, and confusion. To cope with the situation, Congress in 1966 created a National Commission on Reform of the Federal Criminal Laws, commonly referred to as the Brown Commission.

After the Brown Commission completed its work in 1971, several versions of a comprehensive Federal criminal code were submitted to the Senate but died. Finally, in January 1975, a new bill designed to consolidate all of the earlier efforts—including the 8,000 pages of testimony, statements, and exhibits from the Senate Judiciary Committee—was introduced in the 94th Congress. This is S. 1, the Criminal Justice Reform Act.

Recognizing the importance of, and great need for codification, the joint bipartisan leadership of the Senate, of which I am a part, agreed to cosponsor the legislation. However, I would be less than candid if I were not to concede that the leadership was not fully aware then of the controversy that would later develop around a few of the many provisions included in the 799-page bill—controversy that now threatens prospects for enactment of the bill as a whole, 95 percent of which is noncontroversial.

Unfortunately, some of the critics of S. 1 have overlooked altogether the fundamental purpose and merit of the legislation. For example, in the January 1976 edition of Judicature, a highly respected legal publication, Theodore Vorhees, assistant dean of the Law School at Catholic University, and a former member of the Brown Commision, warned that—

To vote down S. 1 would doom the country to a continuation of totally unsatisfactory criminal law at the Federal level and a dearth of reform in many State and local jurisdictions.

Dean Vorhees further observed that—

Opponents of S. 1 have overlooked two factors of great importance. First, mere defeat of S. 1 would leave intact many of the provisions to which they are opposed since they are carryovers from existing law. Second, and more important, the critics have been ignorant of, or have ignored, the fact that at least ninety percent of the provisions of the bill constitute law reform that is virtually beyond the realm of serious controversy.

It is significant that other members of the Brown Commission, including its Chairman, the former Gov. "Pat" Brown, have agreed with Dean Vorhees. In a recent letter to the New York Times, Governor Brown wrote:

I have watched with deep concern the efforts . . . to kill S. 1 . . . That bill incorporates a very substantial portion of the recommendations of our Commission, and 95 per cent of its provisions constitute a major improvement over existing Federal criminal law.

While Governor Brown objects to several provisions, he urges modification—not defeat—of the bill. To defeat the bill, he emphasized:

Would be a severe blow to criminal law reform in this country.

This view is shared by Louis B. Swartz, presently the Benjamin Franklin professor of law at the University of Pennsylvania, who has written:

If there ever was a counsel of despair, of throwing the baby out with the bath water, it is the suggestion . . . that S. 1 be abandoned rather than amended, as it easily can be, to remedy its defects.

He opined that he would "make the bill acceptable" in 1 week.

On February 9, the Senate's majority and minority leaders—Senators Mansfield and Scott—who are among the cosponsors of S. 1, wrote to members of the Judiciary Committee and expressed their concern about the apparent impasse that has developed with respect to the bill. After noting the great importance of the bill, S. 1, and the fact that 95 percent of it is noncontroversial they proposed that the committee report a new or modified version of the bill which would omit the few controversial provisions of S. 1.

I believe this has great merit and I have associated myself with the suggestion. Such an approach could enable Congress finally to reach the laudable and important objective of codifying most of our criminal laws, a goal which the Brown Commission and many others have worked very hard and very long to achieve.

## GEORGE B. STORER

SPEECH OF

### HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 4, 1976*

Mr. PEPPER. Mr. Speaker, on November 4 one of the noble and notable men of America passed away, George B. Storer. Mr. Storer, at the time of his death was cofounder and retired chairman of Storer Broadcasting Co. He would have been 76 years old 6 days after his death. Mr. Storer was a power in the field of broadcasting and the cofounder of Storer Broadcasting Co., one of the first and largest group broadcasters. He was always prominent in civic affairs, one of the principal supporters of the Miami Heart Institute and the Storer Foundation for Medical Research. Indeed, he was

lives have been brightened up and made more tolerable or how much this would have cost to provide their services on a paid basis. Now these people are being told they cannot continue to enjoy their senior centers. . . ." (Mrs. Helen Kirsch, Chairlady, Social Action Committee, Senior Center of Far Rockaway, Far Rockaway, New York)

There is no need to add anything, after these poignant and heartfelt comments. They come from our elderly citizens who speak from their own experience. We need to listen to what they say and to react to their request. We need to honor them by acting as they wish us to act, and repeal the Means Test For Senior Citizens!

## EMBARGO LIFTED

## HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 4, 1976*

Mr. HYDE of Illinois. Mr. Speaker, yesterday this House voted to lift the embargo on trade with Vietnam. I still am appalled at the double standard of those who express outrage at the abuses of civil liberals in Chile, the Philippines, Argentina, and Indonesia, and yet who are so insensitive to the depradation upon human decency in Communist-dominated countries such as Vietnam. Their selective indignation is always directed against the "right," and their myopic compassion is directed toward the "left." Opression is the same no matter where it exists, and I question if one is really opposed to slavery anywhere if one doesn't oppose it everywhere.

On the subject of trading with Communist Vietnam, I have recently had occasion to read a parable written some years ago by Joe Bartlett, for whom all of us in the House have such respect and affection. I trust my colleagues will see its appropriateness to the lifting of the trade embargo with Vietnam:

STRANGE LEGEND: CURIOUS RIDDLE

(A parable by Joe Bartlett)

Congressman Carlton had the strangest dream.

Sitting on the south portico of the Capitol, Rex Carlton had watched the descending sun skewer itself on the famous obelisk that is the Washington Monument.

At least an hour had passed since four bells had signaled the adjournment of the House of Representatives. The legislative scene was deserted for another day, except for Representative Carlton, who had lingered behind to indulge himself in the luxury of some uninterrupted meditation.

Like most congressmen, Carlton's days were such a maelstrom of entreaties and demands, diagnoses and decisions, that the thing for which he felt the greatest need was simply time to think.

This day he felt a particular need to re-examine his reasoning on a matter that seemed to him so clear; so obviously wrong.

Trading with an enemy was, to Carlton, such an abominable practice, he was stunned to learn there were those who professed ingenuous support of sending supplies to those engaged in deadly combat with our own countrymen.

This incredible point of view had been impressed upon the congressman by a barrage of vituperation that had been zeroed in on him since recent publicity concerning his efforts to legislate an embargo upon trade with North Vietnam.

For time unwatched, Carlton immersed himself in the most critical introspection. He tested his reasoning and tormented his own logic from every attack he could imagine.

He could dismiss the harangues of the avowed communist sympathizers, though he despised them for their perfidy.

He could find a sickening pity for the pious Pollyanna who could somehow put the "brotherhood" of this life, above the very life of his brother.

But he was unprepared for the perplexing protests from average, ordinary, God-fearing, well-meaning, run-of-Main -Street citizens!

As he lingered in thought, the warmth of the fading sun, and the weariness of the long day, crept up on Carlton. And a kindly slumber carried him away.

It was, of course, only a dream, but this is how it went:

Far away, in the land of Samaria, there lived a woodworker named Naivius. The source of his fame, and his hope for fortune, were in the timbers he marketed from his small grove of the finest trees to be found within several days journey.

So tall and straight were these trees, and so skilled was Naivius in working the lumber, that it was eagerly sought by those who would build the very best. Wielding an adz of his own design, with strokes so strong and sure no man could match them, Naivius finished beams so perfect and precise they were recognized and valued throughout the land.

This reputation reached the Roman authorities in Judaea, who required for their own use the better things to be had.

So, to Naivius in Samaria a message was dispatched, commanding him, in the name of the Roman Procurator, to prepare a shipment of his finest timbers, and promising that if they were promptly and skillfully finished, a handsome compensation would be forthcoming.

The message was received by Naivius with mixed emotions. The prospect of a ready profit was pleasing enough, but the Romans were a disconcerting dominion over the people, and he doubted that he should do business with them.

Tales of tyranny by the Procurator, and by the High Priest, troubled Naivius.

"Why send supplies that would enhance the power of the Procurator's authority in Jerusalem?," he debated with himself.

The same question he put to his family, to his helpers, and to his neighbors. And their rebuttal was as plausible as it was preponderant.

"Naivius," they rejoined, "your timbers are not implements of conflict. They will not add to the arsenal of the oppressors.

"In truth," they persuaded, "these timbers will surely be used to build shelters and accommodations for the poor people of Judaea.

"It should be gratifying to you Naivius, to know the products of your labor will be serving to better the lot of the hapless multitudes with whom you sympathize.

"Even in the hands of tyrants, your good works will be a great benevolence unto the people. They will see your kindness and they will know that Naivius is a good Samaritan.

"And we will prosper!"

His own apprehensions so thoroughly rejected, Naivius and his company went to work to fill the order.

Long and well did they labor, and soon the consignment was finished and on its way to Jerusalem.

Time passed, but still the earnest Naivius was plagued with a puzzlement about his dealings with the Romans.

Finally, he would no longer be satisfied but that he should go to Jerusalem to see what were the good works to which his timbers had been put.

Journeying to the south, Naivius had visions of fine public buildings being supported by timbers of his distinctive hew: Shelters for the huddled masses; sanctuaries for the innocent and the infirm; places of learning for the children.

These happy anticipations hastened his steps and he reached Jerusalem just as darkness and the quiet of the Sabbath settled over the city.

Coming to the top of a hill and being somewhat out of breath, Naivius stopped to rest for a moment. A crossbeam lying on the ground provided a handy place to sit down, but hardly had he sat than his hand felt a familiar pattern in the wood. Even in the dimming light his eyes confirmed it to be one of his own.

Excitedly he explored its surface to try to determine for what use it was intended. Too dark to be sure, but above the crossing beam he thought he could make out the words: "The King of the Jews."

Strange legend; curious riddle; what could it mean?

In the light of the morning, he would be sure.

Around the campfires of the night, soldiers then, as now, discussed the ways of war. And then, as now, they pondered the words of Moses, and the laws he said should be observed in war:

". . . When thou comest nigh unto a city to fight against it, then proclaim peace unto it . . . and if it will make no peace with thee, but will make war against thee, then thou shalt besiege it."[1]

". . . and thou shalt build bulwarks against the city that maketh war with thee, until it be subdued."[2]

Amen.

## MISDIRECTED FUROR

## HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 4, 1976*

Mr. HARRINGTON. Mr. Speaker, I was pleased to read a recent column by David Hess of the Knight Newspaper chain condemning the current preoccupation of some Members of Congress with the leak of the House CIA report. As Mr. Hess notes, the impending investigation of the leak not only offends first amendment principles, but also serves to detract from the far more important controversy surrounding the U.S. intelligence community which the Pike report sought to address. I commend Mr. Hess for his forthright resistance to the anti-leak hysteria that currently grips the Congress and much of the Fourth Estate; the article is reprinted below for the benefit of my colleagues:

FUROR OVER LEAKING SECRETS OFF TARGET

WASHINGTON—The trouble with the clamorous debate over what to do about the news leaks of the House CIA report is that lawmakers are focusing on the wrong issue.

In a city where news leaks are the rule rather than the exception, Congress' "horrified" reaction to the leak of its own report borders on the absurd.

In fact, it puts Congress in the defensible position of condoning a double standard.

Congress literally dotes on leaks from the executive branch—either directly or through the news media—and encourages them on

[1] Deuteronomy 20–10.

[2] Deuteronomy 20–20.